

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

FRANK KEVIN FISCHER,

Plaintiff,

v.

UNITED PARCEL SERVICE CO.,

Defendant.

CASE NO. 2:05 CV 70366

HONORABLE VICTORIA L. ROBERTS
MAGISTRATE JUDGE STEVEN D. PEPE

THIRD AMENDED JUDGMENT

The United States Court of Appeals for the Sixth Circuit having issued an Opinion in this matter on July 27, 2010 (Court of Appeals Case Nos. 08-1600, 1601), affirming the District Court's rulings on Defendant's motion for judgment as a matter of law, for a new trial, or for remittitur, other than punitive damages, affirming the summary judgment on Plaintiff's state law retaliation claim based on his internal complaints, and reversing the District Court's judgment vacating the punitive damage award, and remanding with instructions to reinstate the award (subject to the \$300,000.00 statutory cap);

This Third Amended Judgment is entered in favor of Plaintiff in the amount totaling \$1,100,000, which includes \$150,000 for back pay, \$650,000 in compensatory damages, and \$300,000 in punitive damages.

Statutory costs, interest and attorney fees may be subject to a separate order after the Court considers briefs and arguments submitted by the parties.

IT IS SO ORDERED.

/s/ Victoria A. Roberts
Honorable Victoria A. Roberts
United States District Judge

Dated: August 23, 2010

APPROVED AS TO FORM:

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